



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ARLENE DELGADO,

Plaintiff,

-against-

DONALD J. TRUMP FOR PRESIDENT, INC.,
TRUMP FOR AMERICA, INC., SEAN SPICER,
individually, REINCE PRIEBUS, individually,
STEPHEN BANNON, individually,

19-CV-11764 (AT) (KHP)

ORDER

Defendants.
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KATHARINE H. PARKER, UNITED STATES MAGISTRATE JUDGE:

On February 21, 2023, the Court received an *ex parte, in camera* submission by Plaintiff regarding her counsel's motion to withdraw as counsel. The submission requests an extension of time to file a supplemental *ex parte, in camera* submission on this issue. That request is GRANTED; Plaintiff may submit a supplemental *in camera, ex parte* submission of no more than five pages in length by **Tuesday, February 28, 2023**.

Plaintiff's submission raised a concern regarding waiver of the attorney-client privilege. The Court notes that *in camera* submissions (i.e. submissions that are made to the Court but not to other parties in the action or any third parties) do not typically effect a waiver of any attorney-client privilege. *See, e.g., In re John Doe Corp.*, 675 F.2d 482, 490-91 (2d Cir. 1982); *Plasmanet, Inc. v. Apax Partners, Inc.*, 2003 WL 21800981, at *2 n.4 (S.D.N.Y. Aug. 5, 2003).

Additionally, Plaintiff's submission raised a concern regarding the potential of the various submissions to impact the Court's view of the parties. The Court reassures Plaintiff that the submissions do not impact the Court's view of the parties. The Court routinely deals with

motions to withdraw involving disputes between clients and their lawyers, and it resolves such disputes in accordance with applicable law and rules. Such disputes do not impact the Court's decision-making on issues relating to discovery or any other issues, which the Court also resolves in accordance with applicable law and rules. In addition, because the Undersigned is only referred for General Pretrial and settlement, I will not be the decision-maker on any dispositive issue in this case. Such issues will be resolved by the Honorable Analisa Torres, and, if this case proceeds to a jury trial, by a jury.

Plaintiff's counsel is directed to provide a copy of this Order to the Plaintiff.

SO ORDERED.

DATED: New York, New York
February 22, 2023



KATHARINE H. PARKER
United States Magistrate Judge